

10/524586

DT05 Rec'd PCT/PTO 15 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re application of :
Mitsuo HONDA et al. : **Mail Stop: PCT**
Serial No. NEW : Attorney Docket No. 2005_0221A
Filed February 15, 2005 :

RECOMBINATION BCG VACCINE
[Corresponding to PCT/JP03/10303
Filed August 13, 2003]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☐ each U.S. Patent and U.S. Patent application publication;
- ☒ each reference previously cited in the international application PCT/JP03/10303; and/or
- ☐ each reference previously cited in prior parent application Serial No. _____.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

ATTACHMENT C }

and thus no certification and/or fee is required.

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) ☐ the certification of paragraph 2 below is provided, **or**
(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.


3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☒ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Mitsuo HONDA et al.

By



Warren M. Cheek, Jr.

Registration No. 33,367

Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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FORM PTO 1449 (modified)

ATTY DOCKET NO.
2005_0221ASERIAL NO.
NEW

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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: February 15, 2005

APPLICANT
Mitsuo HONDA et al.FILING DATE
February 15, 2005

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AD	90/00594	1/1990	WO			
	AE	400973	12/1990	EP			
	AF	90/15873	12/1990	WO			
	AG	92/01783	2/1992	WO			
	AH						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

AI	R. Yamaguchi et al., "Cloning and Characterization of the Gene for Immunogenic Protein MPB64 of Mycobacterium bovis BCG", Infection and Immunity, Vol. 57, No. 1, pp. 283-288, 1989.
AJ	S. Andersson et al., "Codon usage in the Mycobacterium tuberculosis Complex", Microbiology, Vol. 142, No. 4, pp. 915-925, April 1996.
AK	Edited by the Japanese Biochemical Society, "Shin Seikagaku Jikken Koza, Vol. 1, Tanpakushitsu VII -Tanpakushitsu Kogaku-", Tokyo Kagaku Dojin, pp. 314-315, February 15, 1993.
AL	W. R. Jacobs, Jr. et al., "Introduction of foreign DNA into mycobacteria using a shuttle plasmid", Nature, Vol. 327, No. 6122, pp. 532-535, June 11, 1987

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.